

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Helen C. Vencill,)	C/A No. 3:15-cv-04998-JFA
)	
<i>Plaintiff,</i>)	
)	NOTICE OF REMOVAL
Versus)	
)	
HCR ManorCare, Inc.; and Lexington)	
Rehabilitation and Nursing Center-)	
Lexington, SC, LLC,)	
)	
<i>Defendants.</i>)	

TO: CHERYL F. PERKINS AND CHARLES W. WHETSTONE, III, ATTORNEYS FOR
THE PLAINTIFF:

PLEASE TAKE NOTICE that the Defendants, HCR ManorCare, Inc.; and Lexington Rehabilitation and Nursing Center-Lexington, SC, LLC (hereinafter “Defendants”), have this day filed in the Office of the Clerk of the United States District Court for the District of South Carolina, for the above-captioned Division, a Notice for Removal of the above-entitled action from the State Court of South Carolina in the Circuit Court for the County of Lexington, South Carolina, to the District Court of the United States for the District of South Carolina, for the above-captioned Division.

1. The above entitled action was instituted by the Plaintiff against the Defendants by the filing of a Summons and Complaint, on November 18, 2015 and this action is now pending in the State Court of South Carolina in the Circuit Court for the County of Lexington.

2. Upon information and belief, the Plaintiff is a resident of the State of South Carolina.

3. The Defendant, HCR ManorCare, Inc., is now and at all times intervening was, a corporation organized and existing under the laws of the State of Delaware with its principal place of business in Ohio.

4. The Defendant, Lexington Rehabilitation and Nursing Center-Lexington, SC, LLC is now and at all times intervening, organized and existing under the laws of the State of Delaware and having its principal place of business in Ohio.

5. This action is of a civil nature and involves a controversy wholly between citizens of different states and the value of the matter in dispute in this cause, upon information and belief, exceeds the sum of Seventy-Five Thousand and no/100ths (\$75,000.00) Dollars, exclusive of interest and costs, as appears from the allegations contained in Plaintiff's Complaint, and this action is one over which the District Court of the United States has original jurisdiction pursuant to 28 U.S.C. § 1441.

6. A copy of this Notice for Removal is being served on all adverse parties and filed with the Clerk of Court, Lexington County Courthouse, where this case was originally filed.

7. The Defendants file herewith a copy of all process, pleadings, and orders served upon them in this action as a part of this Notice, being the Summons and Complaint.

WHEREFORE, the Defendants, HCR ManorCare, Inc.; and Lexington Rehabilitation and Nursing Center-Lexington, SC, LLC, respectfully requests that this Court consider this Notice for Removal as provided by law governing the removal of cases to this Court; that this Court will make the proper orders to effect the removal of this cause of action from the Court of Common Pleas, Lexington County, to this Court; and that this Court will make such orders as may be appropriate to effect the preparation and filing of a true record of all proceedings that may have been had in the circuit court.

HOOD LAW FIRM, LLC
172 Meeting Street
Post Office Box 1508
Charleston, SC 29402
Phone: (843) 577-4435
Facsimile: (843) 722-1630
Email: Info@hoodlaw.com

s/ Elloree A. Ganes

Molly H. Craig (6671)
Elloree A. Ganes (9022)
Caroline R. Niland (11925)

*Attorneys for the Defendants
HCR ManorCare, Inc.; and Lexington
Rehabilitation and Nursing Center-Lexington, SC,
LLC*

December 18, 2015
Charleston, South Carolina

VERIFICATION

The undersigned attorney affirms and states:

That she is one of the attorneys for the Petitioner herein and is authorized to sign this Notice of Removal for Petitioner. That she has prepared and read the foregoing Notice of Removal and the matters and things therein are true as she verily believes.

s/ Elloree A. Ganes